UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/045,064	01/15/2002	James Patrick Goodwin	23452-504	1778

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EXAMINER
RIMELL, SAMUEL G

ART UNIT	PAPER NUMBER
2175	

DATE MAILED: 05/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/045,064	GOODWIN ET AL.
	Examiner	Art Unit
	Sam Rimell	2175

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-40* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-40* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

SAM RIMELL
PRIMARY EXAMINER

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date <u>6</u>.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 10, 20, 30 and 40 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 10, 20, 30, 40: In each of these claims, the phrase "the data structure" lacks antecedent basis.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-8, 10-18, 20-28, 30-38 and 40 are rejected under 35 U.S.C. 102(a) as being anticipated by Shanahan et al (European Patent Application EP 1143356, published October 10, 2001).

Claim 1: Reference is made to FIG. 2, paragraphs 0017 through 0021 and paragraph 0041. The system of Shanahan has a scheduler (200) that gathers information from a repository of documents (100) according to a specific schedule (paragraph 0019, line 3). The scheduler includes a "demon function" which first registers the documents (demon marks document service as fulfilled—page 4, line 16) and assigns document identifiers to the document (page 4, lines 19-21). The document is then transmitted to a first work queue, which is the service provider (210). The service provider processes the document and provides the five services (page 6, lines 34-42). The service provider then forwards the document back to the user via a

second queue (the scheduler 200 as seen in FIG. 2). The second queue (the scheduler 200) then

processes the document by forwarding it back to the repository (see bi-directional arrows in FIG.

2).

Claim 2: The document which is initially retrieved is already a meta document. The

information added to the document described at both page 4, lines 19-21 and page 6, lines 34-42

are "meta document representations" since they are representations added to a meta document.

Claim 3: The meta document representations added to the meta document can be in

XML format (page 4, lines 19-21 and page 6, lines 35 and 39).

Claim 4: When the meta document representations (page 4, lines 19-21 and page 6, lines

34-43) are added to a document, they are analyzed by a processing system whenever they are

invoked. For example, page 6, lines 37 calls for the addition of a HTML links as a meta

document representation, which can be processed when it is clicked on by a user of the

document.

Claim 5: The meta document representations (page 4, lines 19-21 and page 6, lines 34-

43) are simply added to the meta document content, which is considered to be an act of indexing

the information, lacking any further detail on what kind of index is being formed or what

structure the index has.

Claim 6: Page 6, line 35 refers to the generation of "service results", which are readable

as "progress statistics" given that the nature of the "progress statistics" are not defined.

Claim 7: After the document is processed by the service provider (210 in FIG. 2) it is

returned through the second queue (200) back to the repository of documents (100) at the user

location (page 3, lines 45-46), which is the third queue.

Claim 8: The first queue (210) and second queue (200) have access to a central data structure (collection of documents 100).

Claim 10: The data structure described at page 4, lines 19-21 is a taxonomy in the sense that it is a classification of the aspects of the document.

Claim 11: See remarks for claim 1.

Claim 12: See remarks for claim 2.

Claim 13: See remarks for claim 3.

Claim 14: See remarks for claim 4.

Claim 15: See remarks for claim 5.

Claim 16: See remarks for claim 6.

Claim 17: See remarks for claim 7.

Claim 18: See remarks for claim 8.

Claim 20: See remarks for claim 10.

Claim 21: See remarks for claim 1.

Claim 22: See remarks for claim 2.

Claim 23: See remarks for claim 3.

Claim 24: See remarks for claim 4.

Claim 25: See remarks for claim 5.

Claim 26: See remarks for claim 6.

Claim 27: See remarks for claim 7.

Claim 28: See remarks for claim 8.

Claim 30: See remarks for claim 10.

Claim 31: See remarks for claim 1.

Claim 32: See remarks for claim 2.

Claim 33: See remarks for claim 3.

Claim 34: See remarks for claim 4.

Claim 35: See remarks for claim 5.

Claim 36: See remarks for claim 6.

Claim 37: See remarks for claim 7.

Claim 38: See remarks for claim 8.

Claim 40: See remarks for claim 10.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 9, 19, 29 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shanahan et al. in view of Official Notice.

Claims 9, 19, 29, 39: Shanahan et al. only differs in that it does not disclose CORBA as the exchange mechanism by which the service provider (210) obtains documents (100). However, Shanahan does state that "standard data protocol transfer mechanisms" can be used to allow the service provider (210) to obtain and return documents.

Examiner takes Official Notice that CORBA (Common Object Request Brokerage Architecture) is one such standard transfer mechanism that is well known in the art. CORBA is a

well known "object brokerage" that allows programmers to obtain programming objects through

a common retrieval system.

It would have been obvious to modify Shanahan to obtain documents (documents can be

objects) from a CORBA object brokerage so as to allow users a convenient one point system

from which obtain documents as is well known in the art.

Any inquiry concerning this communication should be directed to Sam Rimell at

telephone number (703) 306-5626.

Sam   Rimell
Primary Examiner
Art Unit 2175